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E.O. 12958: N/A
TAGS: [UNGA](#) [UNGA](#)
SUBJECT: ACTION REQUEST: SIXTH COMMITTEE DRAFT RESOLUTION
ON RESPONSIBILITY OF STATES

REF: A. KIZER/WILCOX EMAIL 09 NOV 07
[1](#)B. GROSH/KIZER/BETTAUER EMAILS 08 NOV 07

[1](#)1. ACTION REQUEST: USUN requests instructions from the Department to join consensus on the Sixth Committee's draft resolution on Responsibility of States for internationally wrongful acts (agenda item 78) contained in para 3, or substantially similar text. The text of all draft resolutions must be tabled before the Sixth Committee by November 9. USUN expects the Sixth Committee to take action on draft resolutions shortly thereafter. USUN point of contact for this resolution is Elizabeth Wilcox, (212) 415-4220, WilcoxE@state.gov. END ACTION REQUEST.

[1](#)2. BACKGROUND/COMMENT: As discussed with the Department in refs, the text of the draft resolution in para 3 reflects the compromise proposal tabled by UKUN. The UK proposal calls for the establishment of a Working Group in the Sixth Committee to consider State responsibility, which would revisit this item during the sixty-fifth session. END BACKGROUND/COMMENT.

[1](#)3. Text of draft resolution on Responsibility of States for internationally wrongful acts:

BEGIN TEXT:

Sixty-second session
Sixth Committee
Agenda Item 78

Draft Resolution
Responsibility of States for internationally wrongful acts

The General Assembly,

Recalling its resolution 56/43 of 12 December 2001, the annex to which contains the text of the articles on responsibility of States for internationally wrongful acts and further recalling its resolution 59/135 of 2 December 2004 commending these articles to the attention of Governments,

Emphasizing the continuing importance of the codification and progressive development of international law as referred to in Article 13, paragraph 1(a), of the Charter of the United Nations,

Noting that the subject of responsibility of States for internationally wrongful acts is of major importance in relations between States,

Noting with appreciation the compilation of decisions of international courts, tribunals and other bodies referring to the articles prepared by the Secretary-General (A/62/62, Corr.1 and Add.1),

[1](#)1. Commends once again the articles on responsibility of States for internationally wrongful acts to the attention of

Governments, without prejudice to the question of their future adoption or other appropriate action;

¶2. Requests the Secretary-General invite Governments to submit their written comments on any future action regarding the articles and update his compilation of decisions of international courts, tribunals and other bodies referring to the articles and invite Governments to submit information on their practice in this regard, and further requests the Secretary-General to submit this material well in advance of

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its sixty-fifth session;

¶3. Decides to include in the provisional agenda of its sixty-fifth session the item entitled "Responsibility of States for internationally wrongful acts" and to further examine, within the framework of a Working Group of the Sixth Committee, the question of a convention on State responsibility or other appropriate action on the basis of the above-mentioned articles.

END TEXT.
Khalilzad